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Signature

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Date

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Applicant: SHEPHERD Timothy Alan                      Group Art Unit: 1625  
Serial No.: 10/521896    Examiner: -  
Application Date: July 16, 2003                              Conf No.: 8851  
US Nat'l Entry Date (if applicable): January 18, 2005  
For: SELECTIVE ESTROGEN RECEPTOR MODULATORS CONTAINING A  
      PHENYLSULFONYL GROUP  
Docket No.: X15711

**SUMMARY OF COMMENTS AND ENCLOSURES**  
**AFTER NOTICE OF ALLOWANCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants enclose herewith the following information and filings after notice of allowance in the above-captioned application.

1. Issue fee transmittal
2. Comments after allowance regarding correction of inventorship that was timely requested during prosecution, but was not entered.
3. Copy of the previously filed Correction of Inventorship (with Second Preliminary Amendment).

Applicants request correction of inventorship, consistent with Applicant's earlier filed request made with amendment, and prompt passage of the application to issuance.

Respectfully submitted,

/MaCharri Vorndran-Jones/  
MaCharri Vorndran-Jones  
Attorney for Applicants  
Registration No. 36,711  
Phone: 317-276-1665

Eli Lilly and Company  
Patent Division/  
P.O. Box 6288  
Indianapolis, Indiana 46206-6288

April 10, 2008

**PATENT APPLICATION**

First Applicant: SHEPHERD Timothy Alan

Group Art Unit: 1625

Serial No.: 10/521896

Examiner: -

Application Date: July 16, 2003

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For: SELECTIVE ESTROGEN RECEPTOR MODULATORS CONTAINING A  
PHENYL SULFONYL GROUP

Docket No.: X15711

**COMMENTS AFTER ALLOWANCE: CORRECTION OF INVENTORSHIP**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicants previously requested Correction of Inventorship in the submission of the Second Preliminary Amendment. The filing of the Request and Second Preliminary Amendment was made on March 29, 2005. A copy of the Request for Correction of Inventorship and Second Preliminary Amendment is enclosed with this communication for the convenience of the Patent Office. The enclosed correction of inventorship was requested in light of the amended claim scope, as set forth in the second preliminary amendment. Said request for correction of inventorship was timely filed with the second preliminary amendment.

Applicants respectfully request that entry of the correction of inventorship, as set forth in the original request. The correction of inventorship requires deletion of all inventors except Timothy Alan Shepherd (a copy enclosed herewith). Applicants submit that no patent term should be deducted, as the request to correct inventorship was timely filed at the time of amendment and prior to the first action on the merits.

Applicants request consideration of these comments, entry of the correction of inventorship, and prompt passage of the case to issuance.

Respectfully submitted,

/MaCharri Vorndran-Jones/

MaCharri Vorndran-Jones

### Attorney for Applicants

Registration No. 36.711

Phone: 317-276-1665

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Patent Division/

P.O. Box 6288

Indianapolis, Indiana 46206-6288

April 10, 2008

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**CERTIFICATION OF FACSIMILE TRANSMISSION**

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Reverend Y. Edwards

Type or print name of person signing certification

Signature Renee G. Stahl

Signature \_\_\_\_\_

March 29, 2005 / Date

Date \_\_\_\_\_

## PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|              |  |
|--------------|--|
| Applicants:  | Dally, <i>et al.</i>   |
| Serial No. : | 10/521,896   |
| Filing Date: | January 18, 2005   |
| For:         | SELECTIVE ESTROGEN RECEPTOR<br>MODULATORS CONTAINING A<br>PHENYLSULFONYL GROUP |
| Docket No.:  | X-15711  |

## SECOND PRELIMINARY AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Sir:**

Amendments to the Claims are reflected in this listing of claims in this paper.

Pursuant to 37 C.F.R. §1.48(b), correction of inventorship is also made herein.

### Correction of Inventorship

Pursuant to 37 C.F.R. §1.48(b), and in accord with the amendments to the claims reflected in this paper, Applicants request deletion of the following original correctly named inventors who are no longer inventors of the invention now being claimed: Robert Dean Dally, Jeffrey Alan Dodge, Scott Alan Frank, Scott Alan Jones, Owen Brendan Wallace, Kin Chiu Fong, Conrad Wilson Hummel, George Sal Lewis.

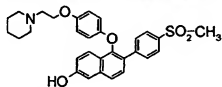
The processing fee set forth in 37 C.F.R. §1.17(i) in the amount of \$130.00 is also enclosed herewith.

**Amendments to the Claims**

Without prejudice or disclaimer, this listing of claims will replace all prior versions and listing of claims in this application.

1-7 Presently cancelled

8. (Presently amended) The A compound of ~~claim 7~~ which is:



or a pharmaceutical acid addition salt thereof.

9-13 Presently cancelled

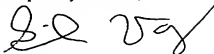
14. (Previously Amended) The compound of claim 8 which is the hydrochloride salt.

15-16 Presently cancelled

17. Previously cancelled

18-25 Presently cancelled

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "G.T. Voy", with a long horizontal stroke extending to the right.

Gilbert T. Voy  
Attorney for Applicant  
Registration No. 43,972  
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Eli Lilly and Company  
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March 25 2005